

CITY OF SAN JOSÉ, CALIFORNIA  
Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

## STAFF REPORT

Hearing Date/Agenda Number  
P.C. 01-28-04 Item: 4.c  
C.C. 02-03-04 Item: 11.3

File Number  
PDC03-084

Application Type  
Planned Development Rezoning

Council District  
6

Planning Area  
Willow Glen

Assessor's Parcel Number(s)  
284-03-020; 031, 033 and 284-07-005, 006, 007

### PROJECT DESCRIPTION

Completed by: Carol Hamilton

Location: Southwest corner of Meridian Avenue and Curci Drive

Gross Acreage: 3.09

Net Acreage: 2.80

Net Density: 46.4 DU/AC

Existing Zoning: CP Commercial Pedestrian, R-M  
Multiple Residence, A(PD) Planned Development

Existing Use: Vacant commercial building, single-family residential, and  
orchard

Proposed Zoning: A(PD) Planned Development

Proposed Use: Residential Care Facility for the Elderly

### GENERAL PLAN

Completed by: CH

Land Use/Transportation Diagram Designation  
Office, High Density Residential (25-50 DU/AC), Medium High  
Density Residential (12-25 DU/AC)

Project Conformance:  
☒ Yes    ☐ No  
☒ See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: CH

North: Multiple-family Residential

A(PD) Planned Development

East: Multiple-family Residential

A(PD) Planned Development

South: Child Daycare, Multiple-family Residential, Los Gatos Creek

R-1-8 Residence, A(PD) Planned Development

West: Undeveloped Park, Child Daycare

A(PD) Planned Development, R-1-8 Residence

### ENVIRONMENTAL STATUS

Completed by: CH

☐ Environmental Impact  
☒ Negative Declaration circulated on December 22, 2003  
☒ Negative Declaration adopted on January 12, 2004

☐ Exempt  
☐ Environmental Review Incomplete

### FILE HISTORY

Completed by: CH

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**PUBLIC AGENCY COMMENTS RECEIVED****Completed by: CH****Department of Public Works**

See attached memoranda.

**Other Departments and Agencies**

See attached memoranda from Environmental Services Department, Fire Department, Police Department, Santa Clara Valley Water District and Valley Transportation Authority .

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**GENERAL CORRESPONDENCE**

See attached communication from Start Communities and correspondence from Steve Wolowitz, president of the Casa de Willow Glen Homeowners Association, dated October 30, 2003.

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**ANALYSIS AND RECOMMENDATIONS****BACKGROUND**

The developer, SL Start, is requesting a Planned Development Rezoning to allow a 130-unit residential service facility for senior residents on a 2.8 net acre site resulting in an overall density of 46.4 units per acre.

**Site Conditions and Context**

The project includes six separate parcels that form a roughly T-shaped site with frontage on both Curci Drive and Meridian Avenue. The parcel fronting Meridian Avenue contains a former gas station building that has been vacant for several years. An orchard and three single-family residential structures are existing on the remainder of the site. The properties to the north of the project site are developed with multi-family residential uses (three-residential stories over parking) and a fast-food restaurant. Multi-family uses are located to the east of the site, across Meridian Avenue, also in three-story residential buildings over parking. A child daycare center, two-story townhouses and the Los Gatos Creek and Creek Trail are located to the south, and day care and unimproved park land are located to the west.

Currently, VTA bus service operates on Meridian Avenue adjacent to the project site. A light rail station is currently under construction near the intersection of Southwest Expressway and Fruitdale Avenue, approximately 1200 feet from the project site.

Approximately 146 parking spaces are proposed to be provided in structured parking beneath Building One. The garage is accessed via a ramp entrance from Curci Drive. Ten additional surface parking spaces are provided in carports adjacent to Buildings Four and Five and accessed from McKinley Avenue. A circular drive is proposed at the main pedestrian entrance to Building One on Curci Drive to facilitate pick-up and drop-off of residents. Emergency vehicle access only is provided from Meridian Avenue.

The proposed residential care facility, which targets seniors 75 years of age or older, is proposed to be licensed by the State of California as a residential care facility and will offer a variety of services to its residents, including laundry and housekeeping, landscaping and building maintenance, transportation to shopping and appointments, three meals daily, on-site transportation and security, and limited health care facilities. These services are anticipated to be provided by 24 on-site employees.

As a part of the rezoning, the applicant is offering to dedicate approximately 10,000 square feet of lot area along the westerly boundary of the site to the City for expansion of the future park proposed for the corner of St. Elizabeth and Curci Drives.

### **ENVIRONMENTAL REVIEW**

A Draft Negative Declaration was circulated for this project based on an Initial Study, which concluded that the project would not result in a significant environmental impact. The project traffic report concluded that the project is in conformance with the City's Transportation Level of Service Policy and would not result in a significant traffic impact. An historic report prepared for the project concluded that none of the three residential buildings proposed for removal is a significant resource. The project noise analysis identified mitigation that has been included in the project to reduce interior noise to acceptable levels. The project includes tree replacement in conformance with City standards for the single ordinance-size tree and six smaller trees proposed for removal. Based on the conclusions of the Initial Study and mitigation included in the project, the Director of Planning adopted a Final Negative Declaration on January 12, 2004.

### **COMMUNITY OUTREACH**

A community meeting was held on November 3, 2003 to discuss the proposed project with area residents. Those in attendance were generally supportive of the proposed project. Subsequent to the meeting, Stephen Wolowitz, president of the Casa de Willow Glen Homeowners Association, sent a letter indicating his Association's support for the project (see attached). Notices of the community meeting, Mitigated Negative Declaration and the public hearings were mailed to all property owners and tenants within 1,000 feet of the subject site and a notice of the public hearings was also published in the newspaper.

units per acre if the project is designed to facilitate transit ridership, is compatible with the surrounding neighborhood and is well-designed. Staff believes that the project is consistent with this Policy. Located on a bus line and within 1200 feet of the Fruitdale Light Rail Station, the project has been designed to include convenient pedestrian access to surrounding streets and van transportation that will assist residents in accessing the light rail facility. Based on the project analysis below, staff concludes that the facility is well-designed and compatible with its surrounding neighborhood.

The second Discretionary Alternate Use Policy, *Population Dwelling Unit Equivalency*, recognizes that senior housing generates fewer trips and results in less impact overall than conventional housing, and the Policy provides a mechanism for increasing the number of allowed senior units, by multiplying the allowed density by the City's average household size. Based on the current average household size of 3.2, the equivalent of 40 conventional units per acre would be 128 senior units per acre ( $3.2 \times 40 = 128$ ). The proposed density of 46.4 units per acre is well below the maximum density allowed for this site based on the applicable Discretionary Alternate Use Policies.

### **Greenline/Urban Growth Boundary (UGB) and Housing Major Strategies**

The proposed rezoning furthers the closely related Greenline and Housing Major Strategies of the General Plan. The Greenline/Urban Growth Boundary Strategy specifies that urban development should only occur within the Urban Service Areas where urban development can be accommodated and where urban services can be efficiently provided. The Housing Strategy promotes higher density infill housing and the provision of housing to meet the needs of all segments of the community and encourages new housing close to transit facilities to ensure the efficient use of land, to reduce the pressure to build more housing at the fringe of the City, to reduce traffic congestion and to promote an adequate supply of housing for existing and future residents. This underutilized site within the existing urbanized area provides an ideal opportunity for infill development in support of these strategies.

### **ANALYSIS**

The primary issues associated with this proposal are conformance with the Residential Design Guidelines and conformance with the Park Impact Ordinance.

#### **Conformance with the Residential Design Guidelines**

The Residential Design Guidelines provide guidance for this project in regard to setbacks and building massing, parking, open space and building design.

#### *Setbacks and Building Massing*

The Residential Design Guidelines (RDG) provide recommended setbacks from adjacent uses and public streets

westerly end of the site in conformance with the RDG. Building Two steps down from 4 to 3 stories adjacent to the park site to ensure an appropriate relationship to the future public open space.

The RDG recommend that residential buildings of three stories or greater be set back a minimum of 35 feet from the street. Alternatively, in the case of a minor residential street, the setback may match that of the residential buildings on the opposite side of the street. In the case of a major public street in a more urban area, the RDG allow the setback to be reduced consistent with planned development patterns. The proposed 15-foot setback from Curci Drive, a minor residential street, matches the existing setback of the condominium project located on the north side of the street. The proposed 15 foot setback from Meridian Avenue is slightly less than that of existing development along Meridian; however, the reduced setback reflects the more urban development pattern needed to support transit ridership and facilitate pedestrian movements in this area.

#### *Parking*

The Draft Development Standards include a parking requirement of one space per residential unit and one space per employee. These parking levels exceed the parking typically required for an assisted senior housing project offering similar levels of service to its residents. Staff has included a condition in the Development Standards allowing a ten percent reduction in required parking to be approved through the Planned Development Permit process, consistent with Zoning Code provisions for properties located within 2,000 feet of a light rail station.

#### *Open Space*

The RDG specify that podium cluster projects should provide 60 square feet of private open space and 100 square feet of common open space per unit. Due to the fact that the proposed project includes varying levels of assisted living, staff has not included a requirement for private open space in the Draft Development Standards; however, many of the ground floor units are proposed to have patios, and balconies are provided for some of the upper floor units. The Draft Standards do include a requirement for 100 square feet of common open space per unit in conformance with the RDG. Based on the conceptual site plan, the proposed project exceeds the required common open space and has been carefully designed to meet the needs of the senior population it is intended to serve. Staff will work with the applicant at the Planned Development Permit stage to provide detailed plans for the open space areas and appropriate fencing so that they do not appear walled-off from the surrounding neighborhood.

#### *Building Design*

The RDG specify that buildings that exceed 150 feet in length are generally discouraged, but indicate that extremely long buildings may be acceptable provided they are richly articulated and detailed to avoid a “blocky” or linear appearance. Building One, over 350 feet in length, lacks sufficient façade and roof articulation to break up the mass and linear appearance of this very large building. Staff will work with the applicant at the Planned Development Permit stage to bring the design into conformance with the

Ordinance. Despite the applicant's intent to defer payment of park fees, the applicant is offering to dedicate a small portion of the project site to the City in order to allow an expansion (approximately 10,000 square feet) of the future park located directly to the west of the subject site. The applicant is also working with Public Works staff and the adjacent property owners (Sisters of Charity) to abandon McKinley Avenue between St. Elizabeth Drive and the project entrance and replace the street with a private drive that retains a public service easement for existing utilities and an easement for access to the subject site. This arrangement, which is likely to include minor Lot Line Adjustments, has the potential to benefit all parties and may result in a minor expansion of the public park. Although the proposed abandonment would be beneficial, implementation of the proposed rezoning is not dependent upon resolution of this issue. Access to the surface parking can be provided with McKinley Avenue configured as either a public street or a private drive.

### **RECOMMENDATION**

Planning staff recommends the Planning Commission forward a recommendation of approval to the City Council for the following reasons:

1. The proposed project is consistent with the San José 2020 General Plan Land Use/Transportation Diagram designations of Office, Medium High Density Residential (12-25 DU/AC) and High Density Residential (25-50 DU/AC) with the application of Discretionary Alternate Use Policies for *Residential Uses on Commercially Designated Parcels*, and *Population Dwelling Unit Equivalency*.
2. The project furthers the goals and objectives of the City's infill housing strategies.
3. The proposed rezoning is compatible with existing and proposed uses on the adjacent and neighboring properties.

### **Attachments**

C: Erik Schoennauer, 2066 Clamor Way, San Jose, CA 95128

CH:II/207-02